BOMBAY OPIUM WAREHOUSE RULES.

(Notn. No. 4472, *B. G. G.*, 1885, Pt. I., pp. 698—703.)

In exercise of the power conferred by section 8 of the Opium Act, 1878, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to make the following rules relating to the warehouse appointed in Notification No. 2205,* dated 15th March 1885, (published at page 341 of the *Bombay Government Gazette* of the 19th idem), for the storage and deposit of opium legally imported into the Presidency of Bombay intended for exportation by sea therefrom, *viz.* :—

1. The said warehouse shall be known as "The Bombay Opium Warehouse" and these rules may be cited as "The Bombay Opium Warehouse Rules."

2. In these rules, unless there be something repugnant in the subject or context, any word or expression which is defined in the Opium Act, 1878, or in the Bombay Opium Rules shall be deemed to have the meaning attributed to it by that Act or those rules

3. Opium brought to the warehouse for deposit shall be accompanied by the passport covering it issued at the scales.

4. At the time of receipt of the opium into the warehouse, the warehouse-keeper, or some other officer authorized by him in this behalf, shall examine the marks, numbers and other particulars on the chests or half-chests and verify the same by comparison with those entered in the passport.

5. If the marks, numbers and other particulars on the chests or half-chests are not found to correspond with those given in the passport, the warehouse keeper shall at once report the fact for the orders of the Collector, the opium being held in safe custody pending such orders.

If they correspond, the opium shall be stored in the warehouse.

6. After storage of the opium, the warehouse-keeper shall stamp across the passport the word "warehoused" and shall enter therein, in the place provided for the purpose, the number of the compartment of the warehouse in which the opium has been stored, with the date and his signature.

The passport shall then be sent to the Opium Department.

7. On receipt of the passport in the Opium Department, the particulars thereof shall be entered in a register; the passport shall then be stamped with the word "cancelled" and retained in the Opium Department. The date of warehousing shall also be noted in the register of passports.

8. All opium deposited in the warehouse as above shall be at the disposal of the owners, to be dealt with

*Notification No. 2205 appoints the building, known as the Port Trust Apollo Bonded Warehouse, situated in Marine Street, Fort, Bombay, to be the place for the storage and deposit of opium legally imported into the Presidency of Bombay and intended for exportation by sea therefrom. (Established under authority quoted in Notification No. 3862, *B. G. G.* of 1884, p. 363.)

APPENDIX A.

The direct importation of opium from Málwa is permitted into the Town of Bombay for retail sale in the said town by persons duly licensed there to retail opium subject to the following conditions:— (Notn. No. 2365, *B. G. G.*, 1878, p. 303.)

(*a*).* All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for exportation by sea, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rule 15 of the Rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.

(*b*). All opium so imported shall, on arrival at Bombay, be deposited either in the Government opium godown, or in the licensed shop of the licensed vendor importing the same.

(*c*). Opium deposited in the Government godown will remain there at the risk of the importer, who shall be at liberty to keep it in his own boxes and under his own keys and seals, and to remove it in reasonable quantities at a time to his shop as he requires it for use; but he shall not be entitled to have access to the godown except during office hours, nor without special permission from the Collector of Customs oftener than twice a week.

(*d*). The quantity of opium to be removed from the Government godown shall on each occasion be presented to the officer in charge of the Opium Department of the Custom House for weighment and registration, and shall be covered by a pass in the Form C, attached to the Rules.

The direct importation of opium from Málwa is permitted into the districts of Ahmedabad, Kaira and the Panch Mahâls for retail sale in the said districts by persons duly licensed in each respective district to retail opium, subject to the following conditions:— (Notn. No. 5214, *B. G. G.*, 1880, p. 850.)

(*a*).* *(The same as condition (a) in the last preceding Notification.)*

(*b*). All opium so imported shall, on arrival, be deposited in the places specified below:—

Opium for Ahmedabad District—In the Stamp Depôt under the Huzúr Deputy Collector, Ahmedabad.

Opium for Kaira District—In the Government Treasuries at A'nand, Thásra, Nadiád and Kaira.

Opium for the Panch Mahâls—In the Government Treasury at Godhra.

(*c*). Opium deposited as aforesaid will remain there at the risk of the importers, who shall be at liberty to keep it in their own boxes and under their own keys and seals, and to remove it to their shops at such times as the Collector may determine, and in such quantities at a time as they may require for use, not being less than the minimum quantity to be fixed by the Collector; they shall not be entitled to have access to the place of deposit except during office hours, nor without special permission of the Collector or other officer duly empowered by the Collector to grant such permission.

(*d*). The quantity of opium to be removed from the place of deposit shall, on each occasion, be presented to the officer in charge of the place for weighment and registration, and shall be covered by a pass in the Form C. attached to the Rules.

The direct importation of opium from Málwa is permitted into the districts of Broach and Poona for retail sale in the said districts by persons duly licensed in each respective district to retail opium, subject to the following conditions:— (Notn. No. 6341, *B. G. G.*, 1881, p. 656.)

(*a*).* (The same as condition (*a*) in Notification 2365 of 1878 above.)

(*b*). All opium so imported shall, on arrival, be deposited in the places specified below:—

Opium for Broach District.—In the Mámlatdár's Treasury at Broach.

Opium for Poona District.—In the Government Treasury at Poona.

(*c*). *(The same as condition (c) in the last preceding Notification.)*

(*d*). *(The same as condition (d) in the last preceding Notification.)*

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* The following condition shall, as soon as is consistent with existing engagements, come into force in lieu of condition (*a*) of Notifications 2365 of 1878, 5214 of 1880, and 6341 of 1881:—

"(*a*) All opium so imported shall be subject to the rate of duty notified from time to time under section 6 of the Opium Act, 1878, to be leviable on opium imported into the Presidency of Bombay for consumption therein, and payment of the duty leviable thereon shall be made in accordance with the provisions of the rules made under section 5 of the Opium Act, 1878."

His Excellency the Governor in Council is also pleased to direct that in paragraph 2 of the same Notifications the following words, namely:—

"that the differential duty, if any, leviable on the opium under the proviso to Rule 10 of the Rules made under section 5 of the Opium Act, 1878, be paid,"

shall be inserted after the words "half-chests purchased" and before the words "and that the opium."

(No. 10197, *B. G. G.*, 1885, p. 2.) Under the provisions of section 10 (*c*) of the Rules framed under sections 5 and 13 of the Opium Act, 1878, and notified in Part I. of the *Bombay Government Gazette* of the 11th October 1883, pages 755 to 772, His Excellency the Governor in Council is pleased to permit the direct importation of opium from Málwa into the districts of Sholápur and Násik for retail sale in the said districts by the persons duly licensed to retail opium in those districts, subject to the following conditions :—

(*a*). All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for home consumption, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rules 15 of the Rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.

(*b*). All opium so imported into the Sholápur district shall, on arrival, be deposited in the Government Treasury at Sholápur, and all opium so imported into the Násik District shall, on arrival, be deposited in the Government Treasury at Násik.

(*c*.) (*The same as condition* (*c*) *in Notification 5214 of 1880.*)

(*d*.) (*The same as condition* (*d*) *in Notification 5214 of 1880.*)

(No. 2236, *B. G. G.*, 1885, Pt. I., p. 342.) Under the provisions of section 10 (*c*) of the Rules framed under sections 5 and 13 of the Opium Act, 1878, and notified in Part I. of the *Bombay Government Gazette* of the 11th October 1883, pages 755 to 772, His Excellency the Governor in Council is pleased to permit the direct importation of opium from Málwa into the district of Ahmednagar for retail sale in the said district by the person duly licensed to retail opium in that district subject to the following conditions :—

(*a*). (*The same as condition* (*a*) *in the last preceding Notification.*)

(*b*). All opium so imported into the Ahmednagar District shall, on arrival, be deposited in the Government Treasury at Ahmednagar.

(*Conditions* (*c*) *and* (*d*) *are the same as in Notification 5214 of 1880 above.*

*(Notn. No. 5300, *B. G. G.*, 1885, p. 821.) Persons duly licensed to retail opium in any district or place to which any of the above, Notifications (in this Appendix) applies may supply themselves with opium by purchase from wholesale dealers in Bombay subject to the following conditions, *viz.* :—

(1) that permission be in every case obtained as required by the proviso to No. 12 of the said rules ;

(2) that the differential duty, if any, leviable on the opium under the said proviso be duly paid ;

(3) that the opium be purchased by whole or half chests only ;

(4) that it be shown to the satisfaction of the Collector of Customs and Opium that the whole of the opium purchased has been obtained from the Bombay Opium Warehouse and not from any other place ;

(5) that the opium purchased be forthwith transported to its destination, and lodged for issue in the same manner as if it had been imported direct from Málwa or Meywár, as the case may be.

(Notn. No. 7594, *B. G. G.*, 1889, pp. [illegible] 358.) The direct importation of opium from Málwa or Meywár is permitted into the district of Khándesh for retail sale in the said district by the person duly licensed to retail opium in that district, subject to the following conditions :—

(*a*) All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for home consumption, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rule 17 of the Rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.

(*b*) All opium so imported into the Khándesh District shall, on arrival, be deposited in the Government Treasury at Dhulia.

(*Conditions* (*c*) *and* (*d*) *are the same as in Notification 5214 of 1880 above.*)

2. The person duly licensed to retail opium in the aforesaid district is further permitted to supply himself with opium by purchase direct from wholesale dealers in Bombay, subject to the conditions set forth in Notification No. 5300 of 1885 (*vide supra.**)

APPENDIX B.

His Excellency the Governor in Council is pleased to rule that the Pálanpur-Ahmedabad State Railway be the route by which alone opium from Baroda territory may be imported into the Bombay Presidency for transmission to the scales at Ahmedabad. All opium so

imported shall be carried direct to the Government Opium Agency in the town of Ahmedabad—Government Notification No. 3340 of 29th June 1880.

APPENDIX C.

Dádar Station on the G. I. P. Railway has been appointed an examining station for opium booked through for re-exportation—Government Resolution No. 2250, dated 5th April 1882.

Kalyán Station on the G. I. P. Railway has been appointed an examining station for opium booked through from Khandwa to Hyderabad and stations on the Nizám's State Railway—Government Notification No. 6004, dated 8th November 1879.

Ahmednagar on the Dhond-Manmád State Railway have been appointed an examining station for opium booked through for Madras, Hyderabad and stations south of Ahmednagar—Government Notification No. 6466, dated 3rd December 1879.

APPENDIX D.

5th July 1890.

In exercise of the powers conferred by section 6 of Act I of 1878 (the Opium Act, 1878), the Governor General in Council is pleased to reduce by Rs. 50 per chest the duty on opium imported by land into the Presidency of Bombay for exportation by sea from the Port of Bombay. (Notn. No. 3242, *B. G. G.*, 1890, Pt. I., p. 641, republishing G. of I. Notn. No. 4767.)

Accordingly it is hereby notified that, till further orders, all opium imported by land into the Presidency of Bombay and covered by a pass for exportation by sea from the Port of Bombay granted in accordance with Rule 16 of the Rules made under the Opium Act, 1878, published by the Government of Bombay in their Notification No. 4472A.,* dated 3rd June 1885, shall be subject to the following duty upon each chest weighing net 140¼ lbs. avoirdupois weight, namely:—

* Published at pages 704 to 715 of Part I. of the *Bombay Government Gazette* of the 4th June 1885.

When the pass for such opium is granted at Ajmere	...	Rs. 625
When the pass for such opium is granted elsewhere	...	„ 600

All opium imported by land into the Presidency of Bombay, and *not covered by a pass for exportation by sea from the Port of Bombay*, granted in accordance with Rule 14† of the Rules made under the Opium Act, 1878, and published by the Government of Bombay, will be subject to the following duty upon each chest weighing net 140¼ lbs. avoirdupois weight, namely:— (Notn. No. 7335, *B. G. G.*, 1882, Pt. I., p. 965, republishing G. of I. Notn. No. 4709 F. and C. of 3rd November 1882.)

When the pass for such opium is granted at Ajmere	...	Rs. 725
When the pass for such opium is granted elsewhere	...	„ 700

The order of the Government of India reducing by Rs. 50 per chest the duty on opium referred exclusively to opium imported by land into the Presidency of Bombay for exportation by sea from the Port of Bombay. It did not purport to affect the rate of duty on opium imported by land into this Presidency for home consumption (G. R. No. 6402 15th September 1882, R.)

APPENDIX E.

The following officers are authorised to act within the limits of their respective charges, under the sections of the Opium Act, 1878, hereinafter respectively named (namely):—

Under section 12, paragraph 3.—The Collector of Salt Revenue (so far as regards any opium or other things seized by himself or by any officer subordinate to him.) (Notn. No. 3578, *B. G. G.*, 1879, Pt. I., p. 609.)

Under section 14.—All officers of the Revenue Department invested with Magisterial powers, all Police officers superior in rank to a Head Constable, all Sar-Kárkúns and Inspectors in the Departments of Opium and A'bkári, the Collector, Deputy Collector, and all Assistant Collectors of Salt Revenue, the Superintendent of the Coast Guard Service and all Coast Guard Inspectors, Frontier Inspectors, Sar-Kárkúns of Tálukas and supervisors of Distilleries subordinate to the Collector of Salt Revenue, Sub-Inspectors in the Department of Opium (Ábkári) and Inspectors of Salt Revenue in Sind. (Notn. No. 9339, *B. G. G.*, 1883, p. 1000.)

Under section 19.—The Collector, Deputy Collector and all Assistant Collectors of Salt Revenue. (Notn. No. 7249, *B. G. G.*, 1885, p. 1102.)

Under section 22.—All Collectors, Assistant and Deputy Collectors, Mámlatdárs, Mukhtyárkars, Aval-Kárkúns and Head Munshis.

Under section 24.—All Assistant and Deputy Collectors, Mámlatdárs, Mukhtyárkar and Mahálkaris.

† Rule 16 of Rules of 1885, given in this compilation.

APPENDIX F.

(Notn. No. 221, B. G. G., 1883, Pt. I., p. 28.)

Under section 133 of Act VIII of 1878 (the Sea Customs Act).—His Excellency the Governor in Council is pleased, with the previous sanction of His Excellency the Governor General of India in Council, to declare that a fee on opium, not the produce of India, imported by sea into the Ports of Bombay, Karáchi, or Aden, and *transhipped* in any of the said ports, shall be levied at the following rates on each chest not exceeding 140¼ pounds avoirdupois net weight:—

When the consignment does not exceed 150 chests, at			Rs.	5 per chest.
From 151 to 300 chests, at	...	...	„	4 „
From 301 to 600 chests, at	...	...	„	3 „
From 601 chests, and upwards at	...	...	„	2 „

(Notn. No. 7599 *A*, *E. G. G.*, 1884, p. 706.)

A fee on opium which is the produce of India, imported by sea into the Port of Aden and there transhipped, shall be levied at the same rates.